

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

NATIONAL LABOR RELATIONS
BOARD

MISC. NO. 07-03

VERSUS

JUDGE S. MAURICE HICKS, JR.

BEAIRD COMPANY, LTD. ET AL.

MAGISTRATE JUDGE HORNSBY

ORDER

For the reasons assigned in the Report and Recommendation of the Magistrate Judge previously filed herein, and having thoroughly reviewed the record, no written objections having been filed, and concurring with the findings of the Magistrate Judge under the applicable law;

IT IS ORDERED that the Application (Record Document 1) filed by the National Labor Relations Board (the "Board") is **GRANTED AS FOLLOWS**:

1. Respondents Beaird Company, Ltd, Burney Industries, Inc., and Burney Onsite Services, Inc. shall obey the Board's November 17, 2006 Order and consistent with that order comply with subpoenas duces tecum nos. B-502890, B-502891 and B-502892 respectively, issued by the Board, and shall produce the remaining subpoenaed documents not yet produced in order that they will be actually received by the Board by **March 29, 2007**. The documents shall be delivered to the Board's offices in New Orleans, Louisiana at National Labor Relations Board, Region 15, Attn.: Stephen C. Bensinger, 1515 Poydras Street, Suite 610, New Orleans, LA 70130 on or before **March 29, 2007**;

2. Respondents Beaird Company, Ltd, Burney Industries, Inc., and Burney

Onsite Services, Inc., jointly and severally liable, shall reimburse the Board for all reasonable costs and attorneys fees (calculated at the prevailing market rate) incurred in initiating and prosecuting this subpoena enforcement action, said amount, unless agreed upon, to be submitted to this court for approval;

3. Respondents Beaird Company's Custodian of the Records (Subpoena A-751027); Burney Industries' Custodian of the Records (Subpoena A-751028); Robert Findeiss (Subpoenas A-751029); Alberto Garcia (Subpoena A-751030); David Harper (Subpoena A-751031); Gerald Landry (Subpoenas A-727993, 727994); Gene Longino (Subpoena 727995); John Miller (Subpoenas A-727998, A-728000); Roy McGoogan (Subpoenas A-727997, A-727996); and Jerry "Beau" Parks (Subpoena A-751026) shall obey the Board's November 17, 2006 Order and comply with the respective subpoenas ad testificandum, issued to them by the Board and appear before a Board agent of the National Labor Relations Board at a place in the City of Shreveport, Louisiana to be determined by the Board's New Orleans Regional Office for the purposes of being interviewed, testifying and providing and completing sworn Board affidavits between the dates of **March 31, 2007** and **April 26, 2007**; and

4. Respondents Burney Onsite's Custodian of the Records (Subpoena A-751035) and Samuel Eakin (Subpoenas A-751032, A-751033, A-751034) shall obey the Board's November 17, 2006 Order and comply with the respective subpoenas ad testificandum issued to them by the Board and appear before a Board agent of the National Labor Relations Board at a place in the City of Baton Rouge, Louisiana to be determined by the Board's New Orleans Regional Office for the purposes of being interviewed, testifying and providing and completing sworn Board affidavits between the

dates of **March 31, 2007** and **April 26, 2007**.

THUS DONE AND SIGNED at Shreveport, Louisiana, this 15th day of March,
2007.



S. MAURICE HICKS, JR.
UNITED STATES DISTRICT JUDGE